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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

Application of: MARTINEZ et al.

Application No.: 09/880,498

Group Art Unit: 1645

Filed: June 13, 2001

Examiner: To Be Assigned

For: GROWTH HORMONE
SECRETAGOGUES

Attorney Docket No.: 87264-100

**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES AND
NOTICE REGARDING RAW SEQUENCE
LISTING ERROR REPORT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to a Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures, mailed December 7, 2001 in connection with the above-identified application, Applicants submit herewith a Substitute Sequence Listing in paper and computer readable form pursuant to 37 C.F.R. § 1.821(c) and (e), respectively.

I hereby state that the content of the paper and computer readable copies of the Substitute Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same.

I hereby state that the submission herein, filed in accordance with 37 C.F.R. § 1.821(g) does not include new matter.

Date: 2/20/02

Respectfully submitted,

Allan A. Fanucci 30,256
Allan A. Fanucci Reg. No.

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/880,498	06/13/2001	Jean Martinez	87264-100

28765
WINSTON & STRAWN
200 PARK AVENUE
NEW YORK, NY 10166-4193

CONFIRMATION NO. 5326

FORMALITIES LETTER



OC000000007173282

Date Mailed: 12/07/2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/880,498	06/13/2001	Jean Martinez	87264-100

CONFIRMATION NO. 5326

28765
WINSTON & STRAWN
200 PARK AVENUE
NEW YORK, NY 10166-4193

WITHDRAWAL NOTICE



OC000000007173278

Date Mailed: 12/07/2001

WITHDRAWAL OF PREVIOUSLY SENT NOTICE

The Notice mailed on 10/18/2001 was sent in error and is hereby withdrawn. A corrected Notice is enclosed. The time period for reply runs from the mail date of the corrected Notice. We apologize for any inconvenience this caused.

*A copy of this notice **MUST** be returned with the reply.*

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